

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

RANDY TYRONE FULLER,	:	
	:	
Petitioner,	:	
	:	No. 5:12-CR-00035 (CAR)
v.	:	No. 5:12-CV-90142 (CAR)
	:	
UNITED STATES OF AMERICA,	:	Proceedings under 28 U.S.C. § 2255
	:	
Respondent.	:	
_____	:	

**ORDER ON RECOMMENDATION**  
**OF THE UNITED STATES MAGISTRATE JUDGE**

Before the Court is the Recommendation [Doc. 53] of the United States Magistrate Judge to dismiss Petitioner Randy Fuller's *pro se* Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. § 2255 [Doc. 22]. The Court is aware that Petitioner has not received a copy of the Magistrate Judge's Recommendation, and therefore, he has not filed any written objections pursuant to 28 U.S.C. § 636(b)(1). However, because any objection to the Magistrate Judge's Recommendation would be futile, the Court deems it appropriate to dismiss Petitioner's Section 2255 Motion at this time. Accordingly, the Recommendation is hereby **ADOPTED and MADE THE ORDER OF THE COURT**. Petitioner's Section 2255 Motion is hereby **DISMISSED without prejudice**.

**SO ORDERED**, this 29th day of January, 2013.

S/ C. Ashley Royal

C. ASHLEY ROYAL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT

BBP/ssh